

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

JOSHUA C. GROVER,

Plaintiff,

vs.

SAUNDERS COUNTY JAIL, DODGE
CONTY SHERRIFFS DEPT., MRS.
IVERSON, Sgt., Individual and Official
capacity; MR. IVERSON, Sgt.,
Individual and Official capacity;
STYSLIEL, Director of N.O.C. Sundr
Sounty, Individual and Official capacity;
and HILDENBRANDT, Sgt., Individual
and Official capacity;

Defendants.

8:20CV90

MEMORANDUM AND ORDER

This matter is before the court on its own motion.

According to Plaintiff's state court records available to this court online, Plaintiff was sentenced in the District Court of Dodge County, Nebraska on July 13, 2020 to the custody of the Nebraska Department of Correctional Services, and due to receiving credit for time served, Plaintiff was immediately released from NDCS custody on July 14, 2020 and placed on post-release supervision.¹ The publicly available record of inmates in the custody of the NDCS² confirm that Plaintiff was released from custody on July 14, 2020. Plaintiff has an obligation to

¹ The court takes judicial notice of the state court records related to this case in *State v. Joshua C. Grover*, Case No. CR20-92, District Court of Dodge County, Nebraska. See *Stutzka v. McCarville*, 420 F.3d 757, 760 n.2 (8th Cir. 2005) (court may take judicial notice of judicial opinions and public records).

² See https://dcs-inmatesearch.ne.gov/Corrections/COR_input.html.

keep the court informed of his current address at all times. *See* NEGenR 1.3(e) and (g) (requiring pro se parties to adhere to local rules and inform the court of address changes within 30 days). This case cannot be prosecuted in this court if Plaintiff's whereabouts remain unknown.

Also, because Plaintiff is no longer in custody, he must now file a new application for leave to proceed in forma pauperis if he wishes to continue pursuing this case in forma pauperis. Plaintiff may, in the alternative, pay the court's \$400.00 filing and administrative fees.

IT IS THEREFORE ORDERED:

1. Plaintiff must update his address within 30 days. Failure to do so will result in dismissal of this action without further notice to Plaintiff.

2. Plaintiff must either file a new request for leave to proceed in forma pauperis or pay the court's \$400.00 filing and administrative fees within 30 days. Failure to take either action will result in dismissal of this matter without further notice to Plaintiff.

3. The clerk of the court is directed to send to Plaintiff a copy of this order and the Form AO 240, "Application to Proceed Without Prepayment of Fees and Affidavit" to both the address on file with the court and to the following address: 6311 Sahler Street, Omaha, Nebraska 68104.

4. The clerk of the court is directed to set a pro se case management deadline with the following text: **September 24, 2020**: deadline for Plaintiff to update address; deadline for Plaintiff to file new IFP application or pay filing fee.

Dated this 25th day of August, 2020.

BY THE COURT:

A handwritten signature in blue ink that reads "Richard G. Kopf". The signature is written in a cursive, flowing style.

Richard G. Kopf
Senior United States District Judge